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C O N F I D E N T I A L SECTION 01 OF 02 TEGUCIGALPA 001243

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SENSITIVE

DEPT. FOR T, PM, L, NEA, WHA, WHA/PPC, AND WHA/CEN

E.O. 12958: DECL: 05/30/2013
TAGS: PREL PGOV MARR PHUM KTIA HO KICC
SUBJECT: HONDURAN CONGRESS APPROVES IRAQ TROOP DEPLOYMENT
RESOLUTION AND ICC ARTICLE 98 AGREEMENT WITH U.S.

REF: A. WARSAW 2016/2015
     ¶B. TEGUCIGALPA 1075 (ALL NOTAL)

Classified By: Political Section Chief Francisco L. Palmieri; Reasons 1
.5 (b) and (d).

¶1. (C) SUMMARY AND ACTION REQUEST:  The Honduran Congress
approved on the evening of May 28 both the resolution
authorizing the deployment of Honduran troops to Iraq and the
ICC Article 98 Agreement with the U.S.  Ambassador Palmer met
with the President of Congress,  Porfirio Lobo Sosa, on May
22 to personally urge the Congress to act expeditiously and
favorably on these two important U.S. foreign policy
initiatives.  As the final slim majority outcomes
demonstrated, both measures were seen as controversial in
Honduras and cost the Maduro administration political
capital.  The deployment will cost the Government of Honduras
(GOH) about USD 400,000 in unbudgeted military deployment
costs, which represents a significant financial burden for
the GOH as it continues difficult negotiations to reach a new
IMF agreement.  Given these favorable policy actions by
Honduras, Post requests that Washington policymakers give all
possible consideration to reprogramming FMF funds to Honduras
as a tangible sign of our appreciation for both their
steadfast political support and, now, their concrete
contribution to the Coalition of the Willing.  See action
request in paragraph 8.  END SUMMARY.

¶2. (U) The Honduran Congress approved on the evening of May
28 both the resolution authorizing the deployment of Honduran
troops to Iraq and the ICC Article 98 Agreement with the U.S.
 The margin for both resolutions was small, as President
Ricardo Maduro's National Party and its small coalition
partner, the Christian Democrats, narrowly defeated
opposition from the Liberal Party, as well as the minor PINU
and UD parties.  Liberal Party Congressman Ramon Villeda
Bermudez criticized the resolution as "the Government of
Honduras legitimizing the illegal war that the U.S. declared
against Saddam Hussein's regime."  Other opposition centered
on the cost of the deployment and the lack of consultation by
President Maduro with the Congress over his management of
Honduran foreign policy.

¶3. (U) The Iraq resolution authorizes sending 370 soldiers to
Iraq for a one-year deployment, with rotations of soldiers by
"semester."  Each soldier will receive USD 150/month, with
USD 5,000 allotted for administrative expenses.  The total
estimated cost is 6.5 million lempiras (USD 382,353).  A key
additional expense is life insurance policies for the
deployed soldiers.  None of these costs were anticipated in
this year's defense budget.  Given the stalled negotiations
with the IMF on a new poverty reduction and growth facility,
these additional expenses could not come at a more difficult
budgetary moment for the GOH.

¶4. (C) Ambassador Palmer met with Pepe Lobo, the President of
Congress, on May 22 to specifically relay our interest in
seeing the Article 98 agreement and the Honduran troop
deployment to Iraq approved.  Lobo understood immediately the
importance of rapid action by the Congress in its last week
in session before a one month recess.  Even though the Maduro
Administration had not yet delivered either piece of
legislation to Congress and had only consulted informally
with Lobo the previous week, Lobo was very optimistic about
the two measures being approved before the May 29 recess.
The Ambassador suggested the wisdom of packaging the two
measures together in order to limit the political opposition
to a single foreign policy debate.  Lobo closed the meeting
in the great tradition of a previous President from Texas,
who once served as Senate Majority Leader, by telling the
Ambassador that if the Executive Branch would get him the
treaty, he'd get it through the Congress.   True to his word,
Lobo delivered.

¶5. (C) Separately, the DCM earlier last week, re-delivered
long-standing demarche points to the Acting Foreign Minister
laying out the need for immediate Honduran ratification of
the Article 98 agreement and congressional authorization for
the troop deployment. He pressed the Acting Foreign Minister
for immediate action on the Article 98 agreement and flagged
the need for expeditious action on the authorization for

deploying Honduran troops to Iraq given the impending congressional recess.  The MFA responded in a timely manner and provided important information to the Congress during the late night debate.  In addition, other country team members effectively lobbied the Ministry of Defense and congressional party leaders to actively support passage of the measures.

¶6. (U) The vote on the ICC Article 98 Agreement was 65 in favor - 61 Nationals and four Christian Democrats, and 62 opposed - 55 Liberals, four UD, and three PINU.  The opposition denounced the agreement and claimed that approval required either a two-thirds or three-quarters of the Congress, and not just a majority of the votes.  In their comments, opposition congressmen both criticized the U.S. and showed a lack of understanding of the fact that Article 98 Agreements are explicitly allowed by the Treaty of Rome that established the ICC.  In response to opposition complaints, National Congressman Carlos Espinoza said, "If it is a sin to support a government like the United States, then one must sin."

¶7. (U) Both resolutions will now be published in La Gaceta, the Honduran version of the Federal Register, to become official.  For the ICC Article 98 Agreement, Post's understanding is that the USG and GOH must then exchange instruments of ratification for the agreement to take effect.  The Liberal Party is threatening to take a constitutional challenge to the Supreme Court over the simple majority vote for the ratification of the Article 98 agreement.  A leading Honduran politician, Oswaldo Ramos Soto, stated that such a challenge would fail because the agreement is a protocol to a treaty that has already been approved by the Congress, thus obviating the need for a super-majority approval.

¶8. (C) Action Request: As noted the approved troop deployment will cost the GOH about USD 400,000 in unbudgeted costs.  This budget hit represents a real financial challenge for the GOH as it proceeds with difficult negotiations to reach a new IMF agreement.  Given the very postive outcome on these two high-profile U.S. foreign policy initiatives, Post requests that Washington policymakers give all possible consideration to reprogramming FMF funds to Honduras as a tangible sign of our appreciation for both their steadfast political support and, now, their concrete contribution to the Coalition of the Willing.

¶9. (C) Comment: Facing the May 29 adjournment of Congress for a one month recess, the GOH had to obtain Congressional passage of the Iraq resolution now if it was going to be able to assist in post-conflict Iraq.  The GOH had been delaying sending the ICC Article 98 Agreement to Congress ever since it became the first country in Central America (and the second in Latin America) to sign such an agreement on September 19, 2002.  Post had been urging the GOH for months to act to avoid possible cutoff of U.S. military assistance under the American Service Members Protection Act (ASPA) on July 1, and is pleased to see congressional approval of the agreement.  In the end, the much maligned Nationalist congressional delegation, under the strong leadership of its President of Congress, delivered a crucial foreign policy victory for the Maduro government.  In doing so, the Nationalist deputies showed that they understand the vital nature of the U.S.-Honduras bilateral relationship, a fact that the opposition parties failed to acknowledge in their knee-jerk opposition to these measures.  End Comment.
Pierce